

CHRISTENSEN JAMES & MARTIN

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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

EMPLOYEE PAINTERS' TRUST; NORTHERN
NEVADA PAINTERS AND ALLIED TRADES
JOINT APPRENTICESHIP AND TRAINING
TRUST FUND, each acting by and through its
designated fiduciary, Todd Koch; and
INTERNATIONAL UNION OF PAINTERS AND
ALLIED TRADES INDUSTRY PENSION
TRUST FUND, acting by and through its
designated fiduciary, Gary J. Meyers,

Plaintiffs,

v.

SIMAS FLOOR COMPANY, INC., a Nevada
Corporation; GAIL SIMAS WARD, an Individual;
GREAT AMERICAN INSURANCE COMPANY,
a foreign corporation; SIMAS FLOOR CO, INC., a
California Corporation doing business as ROBERT
SIMAS FLOOR CO.; JAMES EDWARD SIMAS,
an Individual and Sole Proprietor doing business as
J.E. SIMAS FLOORS; CARMICHAEL FLOOR
COMPANY, a foreign corporation; PLATTE
RIVER INSURANCE COMPANY, a foreign
corporation; BISON CONSTRUCTION, a Nevada
Corporation; BROWN CONSTRUCTION, INC., a
foreign corporation; GLEN/MAR
CONSTRUCTION, INC., a foreign corporation; K-
W WESTERN, INC., a Nevada Corporation; K7
CONSTRUCTION, INC., a Nevada Corporation;
FRANK LEPORI CONSTRUCTION, INC., a
Nevada Corporation; PELLETT
CONSTRUCTION, LLC, a Nevada limited liability
company; SUNSERI CONSTRUCTION, INC., a
foreign corporation; WESTERN SURETY
COMPANY, foreign corporation; TRAVELERS

Case No.: 2:12-CV-00848-KJD-VCF

**NOTICE AND ORDER OF
VOLUNTARY DISMISSAL OF
DEFENDANTS BISON
CONSTRUCTION, MYRON
MARTIN AND RHONDA
MARTIN WITHOUT PREJUDICE
[FRCP 41(a)(2)]**

CASUALTY AND SURETY COMPANY OF
AMERICA, a foreign corporation; MYRON
MARTIN, an Individual; RHONDA MARTIN, an
Individual; THOMAS PELLETT, an Individual;
SABRINA PELLETT, an Individual; JOHN DOES
I - X; and ROES ENTITIES, I-X,

Defendants.

The above-named Plaintiffs, acting by and through their counsel, Christensen James &
Martin, pursuant to FRCP Rule 41(a)(2), do hereby dismiss its claims in the above-entitled action
without prejudice as against Defendants BISON CONSTRUCTION, MYRON MARTIN and
RHONDA MARTIN only.

DATED this 22nd day of June, 2012.

CHRISTENSEN JAMES & MARTIN

By: /s/ Sara D. Cope
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IT IS SO ORDERED.

Dated this 25 day of June, 2012.


DISTRICT COURT JUDGE

CERTIFICATE OF SERVICE

I am an employee of Christensen James & Martin. On the date of filing of Notice and Order of Voluntary Dismissal of Bison Construction, Myron Martin and Rhonda Martin Without Prejudice [FRCP 41(a)(2)], with the Clerk of Court I caused a true and correct copy to be served in the following manner:

☒ **ELECTRONIC SERVICE:** Pursuant to Local Rule LR 5-4 of the United States District Court for the District of Nevada, the above-referenced document was electronically filed and served on all appearing parties through the Notice of Electronic Filing automatically generated by the Court.

☐ **UNITED STATES MAIL:** By depositing a true and correct copy of the above-referenced document into the United States Mail, postage prepaid, via First Class and Certified, addressed to the following parties at their last-known mailing address(es):

☐ **OVERNIGHT COURIER:** By depositing a true and correct copy of the above-referenced document for overnight delivery via a nationally-recognized courier, addressed to the parties listed on the attached service list at their last-known mailing address.

FACSIMILE: By sending the above-referenced document via facsimile to those persons listed on the attached service list at the facsimile numbers set forth thereon.

CHRISTENSEN JAMES & MARTIN

By: /s/ Natalie Larson
Natalie Larson